



ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

1740 W. ADAMS ST., STE. 4600 - PHOENIX, ARIZONA 85007

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VETBOARD.AZ.GOV

MINUTES

December 14, 2022 at 8:30am

1740 W. Adams Street, Board Room B

Phoenix, Arizona 85007

Members Present: Ms. Jessica Creager (left at 12:30pm), Ms. Jane Soloman, Mr. Jim Loughhead (arrived at 8:44am), Dr. Craig Nausley, Dr. Robyn Jaynes (arrived at 8:42am), Dr. Melissa Thompson, Dr. Greg Byrne, and Dr. Darren Wright.

Members Absent: Ms. Nikki Frost, CVT

Staff and Legal Counsel Present: Ms. Victoria Whitmore, Executive Director; Mr. Marc Harris, AAG (Assistant Attorney General); Annelise VanSchoelandt, Premises Compliance Specialist; and Ms. Tracy Riendeau, CVT, Senior Medical Investigator.

I. CALL TO ORDER

Roll call: Ms. Whitmore at 8:37am.

II. INITIAL INVESTIGATIVE REVIEW AND ACTION ON THE FOLLOWING CASES

1. 22-130, In Re: John Carr, DVM

Ms. Nancy Swincinski was present and made statements. After discussion and consideration, a motion was made Dr. Jaynes and seconded by Ms. Soloman to reject the Investigative Committee's recommendation and dismiss this issue with no violation and issue a **Letter of Concern** with respect to ensuring a full ear examination is performed and medical records are clear as to what is transpiring throughout the case. Additionally, ensuring that proper PPE is being utilized, specifically when performing radiographs. Motion passed 7 ayes, 1 nay (Mr. Loughhead).

2. 22-137, In Re: Lorenzo Gonzales, DVM

Ms. Georgia Debus was present and made statements. After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to schedule this matter to an **Informal Interview**. Motion passed unanimously.

3. 22-138, In Re: Jeri Altizer, DVM

Dr. Altizer was present with attorney David Stoll and made statements. After discussion and consideration, a motion was made by Dr. Nausley and seconded by Dr. Wright to reject

the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed 7 ayes, 1 nay (Ms. Soloman).

4. 22-139, In Re: Jessica Bertrand, DVM

After discussion and consideration, a motion was made by Dr. Thompson and seconded by Ms. Soloman to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

5. 22-140, In Re: Brandi Stanley, CVT

After discussion and consideration, a motion was made by Dr. Thompson and seconded by Mr. Loughhead to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

6. 22-141, In Re: Bernard Mangone, DVM

Dr. Mangone was present and made statements. Mr. and Mrs. Tom West were present and made statements. After discussion and consideration, a motion was made by Dr. Wright and seconded by Mr. Loughhead to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

7. 22-142, In Re: Barbara Batke, DVM

Attorney David Stoll was present to monitor. After discussion and consideration, a motion was made by Dr. Wright and seconded by Mr. Loughhead to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

8. 22-143, In Re: Kathryn Mueller, DVM

Attorney David Stoll was present to monitor. Mr. and Mrs. John Moler were present and made statements. After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Dr. Thomson to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

9. 23-01, In Re: Dawn Archuleta, DVM

Attorney David Stoll was present to monitor. After discussion and consideration, a motion was made by Dr. Thompson and seconded by Mr. Loughhead to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

After further discussion and consideration, a motion was made by Dr. Thompson and seconded by Ms. Soloman to open an investigation regarding Dr. Edwards's conduct. Motion passed 7 ayes, 1 nay (Dr. Jaynes).

10. 23-02, In Re: Jeannette Molina, DVM

After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Mr. Loughhead to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

11. 23-04, In Re: Courtney Slama, VMD

Ms. Soloman was recused. Attorney David Stoll was present to monitor. After discussion and consideration, a motion was made by Dr. Nausley and seconded by Dr. Wright to modify the Investigative Committee's recommendation and dismiss this issue with no violation and

issue a **Letter of Concern** with respect ensuring an exam is performed and documented in the medical record prior to issuing a health certificate. Motion passed 7 ayes, 1 recusal.

12. 23-22, In Re: Noble Jackson, DVM

Attorney David Stoll was present and made statements on behalf of Dr. Jackson. After discussion and consideration, a motion was made by Dr. Nausley and seconded by Mr. Loughhead to **dismiss** this issue with no violation. Motion passed unanimously.

13. 23-30, In Re: Verlin Jones, DVM

After discussion and consideration, a motion was made by Dr. Byrne and seconded by Mr. Loughhead to offer Dr. Jones a **Consent Agreement** finding him in violation of **A.R.S. § 32-2232 (18)** as it relates to **A.R.S. § 32-2274**:

- **(6)** failure to keep written records of all animals receiving veterinary services, failure to provide a summary of such records upon request to the client or failure to produce such records at the request of the Board; and
- **(9)** failure of the responsible veterinarian to maintain a current premises license to provide veterinary services to the public at a fixed location.

Roll call: Dr. Thompson, aye; Ms. Soloman, aye; Dr. Wright, aye; Mr. Loughhead, aye; Ms. Creager, aye; Dr. Jaynes, aye; Dr. Nausely, aye; and Dr. Byrnes, aye. Motion passed unanimously.

After discussion and consideration, a motion was made by Dr. Byrne and seconded by Ms. Soloman to offer Dr. Jones a Consent Agreement that includes a period of **Probation** for one year to obtain **seven (7) hours of continuing education** in addition to the statutory requirements to maintain licensure; those seven (7) hours shall be:

- **Five (5) hours in medical record keeping;** and
- **Two (2) hours review of the Arizona Veterinary Practice Act** and submit a summary.

The Consent Agreement shall also include a five hundred dollar **(\$500) civil penalty** due on or before the end of the Probationary period. Additionally, Respondent shall **submit a premises license application** with payment within five (5) days of the effective date of the Consent Agreement.

Roll call: Dr. Thompson, aye; Ms. Soloman, aye; Dr. Wright, aye; Mr. Loughhead, aye; Ms. Creager, aye; Dr. Jaynes, aye; Dr. Nausely, aye; and Dr. Byrnes, aye. Motion passed unanimously.

14. 22-131, In Re: Elizabeth Munhall, DVM

Dr. Jaynes and Mr. Loughhead were recused. Attorney Leanne Hay was present and made statements on behalf of Dr. Munhall. After discussion and consideration, a motion was made by Dr. Nausley and seconded by Dr. Thompson to issue Dr. Munhall a Letter of Concern.

After further discussion and consideration, a motion was made by Dr. Nausley and seconded by Dr. Thompson to rescind the motion.

After discussion and consideration, a motion was made by Dr. Nausley and seconded by Dr. Thompson to schedule this matter to an **Informal Interview**. Motion passed 6 ayes, 2 recusals (Dr. Jaynes and Mr. Loughhead).

III. INFORMAL INTERVIEWS - BOARD DELIBERATION AND ACTION

1. 22-135, In Re: Karter Neal, DVM

Dr. Neal was present telephonically, made statements and answered questions. After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Mr. Loughead to **dismiss** this issue with no violation. Roll call: Dr. Thompson, aye; Ms. Soloman, aye; Dr. Wright, aye; Mr. Loughead, aye; Ms. Creager, aye; Dr. Jaynes, aye; Dr. Nausely, aye; and Dr. Byrnes, aye. Motion passed unanimously.

IV. ADMINISTRATIVE REVIEW OF PREVIOUS ACTIONS

1. 21-146: In Re: John Oplinger, DVM. Board may review, discuss and take action on request to modify Continuing Education plan required by Consent Agreement.

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Mr. Loughead to approve Dr. Oplinger's modified continuing education plan in compliance with his Consent Agreement. Motion passed unanimously.

2. 22-42: In Re: Simon Escalada, DVM. Board may review, discuss, and take action on revised continuing education plan as required by Board Order.

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Ms. Soloman to open an investigation for non-compliance of Dr. Escalada's Board Order. Motion passed 7 ayes, 1 nay (Dr. Jaynes).

3. 22-76: Jeremy Shapero, DVM. Board may review, discuss, and take action on completion of continuing education as required by Board Order and may return license to Active status.

After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Jaynes to approve Dr. Shapero's completion of continuing education in compliance with his Board Order and return his license to Active status. Motion passed unanimously.

4. 22-71: Dennis White, DVM. Board may review, discuss, and take action on Continuing Education plan submitted in compliance with Board Order.

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Ms. Soloman to approve Dr. White's continuing education plan submitted in compliance with his Board Order. Motion passed unanimously.

V. REPORTS, CORRESPONDENCE, REFERRALS AND OTHER BUSINESS

1. Board may review, discuss, and take action on veterinary license applications:

a. Brien Jones, DVM

After discussion and consideration, a motion was made by Dr. Byrne and seconded by Dr. Wright to approve Dr. Jones's veterinary license application. Motion passed unanimously.

2. Board may review, discuss, and take action on request for Continuing Education waivers related to license/certificate renewals.

a. Pasquale Campanile, DVM

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Dr. Wright to **approve** Dr. Campanile's continuing education waiver, giving him an additional six (6) months to submit the required continuing education for the 2023 -2024 veterinary license renewal. The continuing education cannot be used for the next renewal cycle. Motion passed unanimously.

b. Mark Restey, VMD

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Ms. Creager to **deny** Dr. Restey's request for continuing education waiver. Motion passed unanimously.

c. Jeffrey Cook, DVM

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Dr. Wright to **approve** Dr. Cook's continuing education waiver, giving him an additional six (6) months to submit the required continuing education for the 2023 - 2024 veterinary license renewal. The continuing education cannot be used for the next renewal cycle. Motion passed unanimously.

d. Christie Keim, DVM

After discussion and consideration, a motion was made by Dr. Wright and seconded by Mr. Loughead to **approve** Dr. Keim's continuing education waiver, giving her an additional three (3) months to submit the required continuing education for the 2023 - 2024 veterinary license renewal. The continuing education cannot be used for the next renewal cycle. Motion passed unanimously.

e. Lindsay Birrenbach, DVM

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Dr. Wright to **approve** Dr. Birrenbach's continuing education waiver, giving her an additional three (3) months to submit the required continuing education for the 2023 -2024 veterinary license renewal. The continuing education cannot be used for the next renewal cycle. Motion passed unanimously.

3. Board may review, discuss, and take action on update regarding resolution of California Veterinary Medical Board case re: Emily Fassbaugh, DVM.

No action taken.

4. Board may review, discuss, and take action on American Association of Veterinary State Boards' Call for Bylaws Amendments.

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Dr. Wright to table this matter to a future Board meeting. Motion passed unanimously.

5. Board may review, discuss, and take action on American Association of Veterinary State Boards' PAVE (Program for the Assessment of Veterinary Education Equivalence) program for veterinary technicians.

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Dr. Wright to table this matter to a future Board meeting. Motion passed unanimously.

6. Board may review, discuss, and take action on U.S. Food & Drug Administration's (FDA) notice on transitioning certain over-the-counter antimicrobial products for animals to prescription status.

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Dr. Wright to table this matter to a future Board meeting. Motion passed unanimously.

7. Board may review, discuss, and take action on including additional data details in the Board's Annual Report to the Governor in the section pertaining to unlicensed practitioners.

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Dr. Wright to table this matter to a future Board meeting. Motion passed unanimously.

8. Board may review, discuss, and take action on question submitted to Board staff regarding medical procedures provided by specially-trained and supervised veterinary technicians, specifically liver and spleen aspiration.

After discussion and consideration, the Board expressed concerns with this conduct and directed Ms. Whitmore to relay their concerns.

9. Board may review, discuss, and take action on requesting AZ State Veterinarian to present information to the Board regarding agency's proposed Administrative Rules pertaining to the use of specific medications by unlicensed individuals in animal shelters.

No action taken.

10. Board may review, discuss, and take action on C-23-09, Raquel Mercado, possible unlicensed practitioner.

Ms. Mercado was present telephonically; made statements and answered questions. After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to close the matter and refer to the County Attorney's Office. Motion passed, 6 ayes, 2 nays (Mr. Loughead and Dr. Jaynes).

11. Board may review, discuss, and take action on request for approval of Continuing Education credit for the American Association of Swine Veterinarians 2023 Annual Meeting, March 4-7, 2023.

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Ms. Soloman to approve the continuing education credit for the American Association of Swine Veterinarians 2023 Annual Meeting – March 4 – 7, 2023. Motion passed unanimously.

12. Board may review, discuss, and take action on premises license renewals:

a. R2758: MVS- McCarthy Veterinary Services, LLC. Chris McCarthy, DVM

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Dr. Wright direct staff to advise Dr. McCarthy that a new premises license application is required as she has relocated the premises to a new address. Motion passed unanimously.

13. Board may review, discuss, and take action on request regarding the clarification of interpretation of A.R.S. §32-2242(B) pertaining to Certified Veterinary Technician application requirements, per A.R.S. §41-1001.02:

a. Samantha Hershowitz

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Mr. Loughead to deny Ms. Hershowitz's requirements for Certified Veterinary Technician application based on the Board's interpretation of A.R.S. § 32-2242 (B). Motion passed unanimously.

14. Board may review, discuss, and take action on information submitted re: A.R.S. 32-3208, reportable charges from Brad Amorati, DVM.

No action taken.

15. Board may review, discuss, and take action on veterinary license application and issue of possibly providing veterinary medical services prior to license being issued, re: Bianca Alva.

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Dr. Jaynes to approve Ms. Alva's veterinary license application. Motion was approved 7 ayes, 1 absent (Ms. Creager).

After further discussion and consideration, a motion was made by Ms. Soloman and seconded by Mr. Loughead to open an investigation with respect to Ms. Alva's conduct of practicing veterinary medicine without a license for two (2) months. Motion passed 7 ayes, 1 absent (Ms. Creager).

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Dr. Wright to forward this information to the Governor's office. Motion passed 6 ayes, 1 absent (Ms. Creager), and 1 nay (Dr. Jaynes).

VI. REVIEW AND APPROVAL OF MINUTES

1. November 16, 2022 Regular Session

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Ms. Soloman to approve the November 16, 2022 regular session minutes. Motion passed 6 ayes, 1 absent (Ms. Creager), and 1 abstention (Dr. Thompson).

2. November 16, 2022 Executive Session

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Dr. Wright to approve the November 16, 2022 executive session minutes. Motion passed 6 ayes, 1 absent (Ms. Creager), and 1 abstention (Dr. Thompson).

VII. CONSENT AGENDA

A. Approval of Premises Licenses – Responsible Veterinarian listed

1. R4011: Roadrunner Animal Hospital, LLC. New Owner. Jose Evan Cordova, DVM
2. R4012: Sarival Animal Hospital, LLC. New Owner. Wesley Arnold, DVM
3. R4014: Spay Neuter Clinic. New Address. Sheryl Harmon, DVM
4. R4016: Arrowhead Ranch Animal Hospital, LLC. New Owner. Martin Glanzberg, DVM
5. R4017: Arrow Animal Hospital, LLC. New Owner. Stuart Sherrell, DVM
6. R4018: Animal Hospital at Anthem, LLC. New Owner. Brian Waller, DVM
7. R4020: Bell Ridge Animal Hospital, LLC. New Owner. Jennifer Starkel, DVM
8. R4023: Happy Valley Animal Hospital, LLC. New Owner. Kaylee Yoshimoto, DVM
9. R4024: Signal Butte Animal Hospital, LLC. New Owner. John Graham, DVM
10. R4025: Animal Hospital at Verrado, LLC. New Owner. Johanna DeKing, DVM
11. R4027: Westbrook Animal Hospital, LLC. New Owner. W. Hummel, Jr., DVM
12. R4028: North Buckeye Animal Hospital, LLC. New Owner. Michelle Medlin, DVM
13. R4029: Norterra Animal Hospital, LLC. New Owner. Michelle Horvath-Carano, DVM
14. R4030: Goodyear Animal Hospital, LLC. New Owner. Amy Schomburg, DVM
15. R4031: Fletcher Heights Animal Hospital, LLC. New Owner. Andrea Cohen, DVM
16. R4032: Las Sendas Animal Hospital, LLC. New Owner. Amanda Liesse, DVM

17. R4033: Dobson Ranch Animal Hospital, LLC. New Owner. Brigid Hirth, DVM
18. R4034: Madison Animal Hospital, LLC. New Owner. John Samuelson, DVM
19. R4035: Sparks Mission Animal Coalition. New Address/New Responsible Veterinarian. Gloriana Halterman, DVM
20. R4036: West-MEC Northwest Campus. New Responsible Veterinarian. Christine Sullivan, DVM
21. R4037: Camp Bow Wow Mayo. New Responsible Veterinarian. Dennis Phillip, DVM
22. R4038: Dogtopia, Paradise Valley. New Responsible Veterinarian. Dennis Phillip, DVM
23. R4039: Camille Laird, DVM. New Address. Camille Laird, DVM
24. R4040: VCA Northwest Animal Hospital- Oro Valley. New Responsible Veterinarian. Kasey Jackson, DVM
25. R4041: VCA Northwest Animal Hospital – Ina Road. New Responsible Veterinarian. Kasey Jackson, DVM
26. R4042: Humane Society of Yuma. New Responsible Veterinarian. Danielle Munoz, DVM
27. R4044: St. Mary's Animal Hospital. New Responsible Veterinarian. Hannah Bigelow, DVM
28. R4045: Dove Mountain Animal Hospital. New Owner/New Responsible Veterinarian. Rebecca Laton, DVM
29. R4047: Arivaca Animal Clinic. New Owner/New Responsible Veterinarian/New Address. Clifford Honnas, DVM
30. R4048: Wickenburg Veterinary Clinic. New Responsible Veterinarian. Elizabeth Young, DVM
31. R4049: Ironwood Veterinary Clinic. New Responsible Veterinarian. Danelle Jackson, DVM.
32. R3985: Lap of Love Services, LLC. New Premises. Sarah Nelson, DVM.

A (10), (12), (21), (22), (23) (24), (25), (26), (27), (28), (29), (30) and (31) were removed from Consent Agenda.

Approval of Premises Inspections granted.

B. Approval of Premises Name Change Requests - Responsible Veterinarian

1. R3999: Adriana Stinnett, DVM. Change to Circle S Equine Veterinary Services. Adriana Stinnett, DVM.

Approval of Premises Name Changes granted

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to **approve** the Consent Agenda as amended. Motion passed 7 ayes, 1 absent (Ms. Creager).

Items Removed From Consent Agenda:

A (10), (12), (23) (24), (25), (26), (27), (28), (29), (30) and (31).

After discussion and consideration, a motion was made by Dr. Wright and seconded by Mr. Loughhead to **approve** the above premises **pending inspection and compliance**. Motion passed 7 ayes, 1 absent (Ms. Creager).

A (21) and (22).

Applications withdrawn; no action taken.

VIII. SUMMARY OF CURRENT EVENTS

Mr. Loughhead contributed information to this agenda item.

IX. CALL TO THE PUBLIC

Mr. Johnny Johnson addressed the Board telephonically. Dr. Kleiman addressed the Board telephonically.

X. ESTABLISHMENT OF FUTURE MEETING DATE

The next regular meeting will be held on **Wednesday, January 18, 2023**, beginning at 8:30 a.m. at 1740 W. Adams Street, Board Room "B," Phoenix, Arizona, 85007. One or more Board members may appear telephonically.

XI. ADJOURNMENT

Meeting adjourned at 12:55pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Victoria Whitmore', is written over a horizontal line.

Victoria Whitmore, Executive Director